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Uber Technologies, Inc.

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

In re:

ANTHONY SCOTT LEVANDOWSKI,  
  
Debtor.

ANTHONY SCOTT LEVANDOWSKI, an  
individual,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.

Defendant.

Case No. 20-30242 (HLB)

Chapter 11

Adv. Pro. No. 20-03050 (HLB)

**UBER'S ADMINISTRATIVE MOTION  
TO FILE PARTIALLY REDACTED  
LIMITED OBJECTION TO DEBTOR'S  
MOTION TO OBTAIN SECURED  
SUPERPRIORITY FINANCING AND  
USE ROTH IRA ASSETS TO PAY  
ESTATE OBLIGATIONS**

Defendant Uber Technologies, Inc. ("**Uber**") hereby submits this motion to the Court (the "**Administrative Motion**"), pursuant to section 107 of title 11 of the United States Code (the "**Bankruptcy Code**"), Rule 9018 of the Federal Rules of Bankruptcy Procedure (the "**Bankruptcy**

1 **Rules**”), and District Court Civil Local Rule 79-5 (applicable to this proceeding pursuant to  
2 Bankruptcy Local Rule 1001-2(a)), for the entry of an order authorizing Uber to file a partially  
3 redacted *Limited Objection to Debtor’s Motion to Obtain Secured Superpriority Financing and Use*  
4 *Roth IRA Assets to Pay Estate Obligations* (the “**Limited Objection**”)

5 This Administrative Motion has been served on counsel for the debtor, Anthony  
6 Levandowski (the “**Debtor**”), Google LLC (“**Google**”), Pronto.ai, Inc. (“**Pronto**”) and all other  
7 parties who are registered through ECF.

8 **I.**

9 **FACTS**

10 By way of this Motion, Uber seeks to (i) provisionally redact one sentence in the Limited  
11 Objection to prevent the public disclosure of the identity of purported investors in Pronto (the  
12 “**Investor Information**”) and Exhibit A to the supporting declaration of Miriam Manning and (ii)  
13 provide counsel for Proto an opportunity to file a declaration pursuant to District Court Civil Local  
14 Rule 79-5(e). Pronto has advised that the Investor Information is highly confidential as is therefore  
15 deemed, the “Designating Party” under District Court Civil Local Rule 79-5(e).

16 By way of background, the Debtor’s Statement of Financial Affairs describes the Debtor’s  
17 general relationship with Pronto:

18 “The Debtor is currently employed by Pronto, an automotive safety technology firm that  
19 the Debtor co-founded and in which the Debtor is currently an investor through a Simple  
20 Agreement for Future Equity (“SAFE”) convertible note.” [Dkt 73].

21 Uber understands that the Debtor is not the sole equity owner in Pronto. In January 2021,  
22 and during the Debtor’s deposition, the Debtor disclosed the names of some of the investors in his  
23 company (Pronto) who coincidentally appear to be the same investor(s) in the Debtor’s Roth IRA.<sup>1</sup>  
24 Even though Debtor’s counsel marked the entirety of the deposition transcript as “Highly  
25 Confidential – Attorney’s Eyes Only”, Uber does not believe that the Debtor has any confidentiality  
26 interest in the Investor Information but has been advised by the Debtor that Pronto does continue to

27 \_\_\_\_\_  
28 <sup>1</sup> Pronto appears to suggest that information that the Debtor provided at his deposition may not have been accurate but  
has not provided any information about Pronto’s investors other than the Debtor. As such, Uber has not been able to  
independently verify whether the Debtor provided accurate testimony.

1 assert confidentiality interests in such information. The Debtor may also have confidentiality  
2 interests in Exhibit A to the Manning Declaration as it marked the transcript “Highly Confidential –  
3 Attorneys Eyes Only.” For these reasons, Uber files this Motion.

4 **II.**

5 **DISCUSSION**

6 The Bankruptcy Code, Bankruptcy Rules, and Local Rules authorize the Court to limit the  
7 disclosure of certain confidential information to protect entities from potential harm. Section  
8 107(b) of the Bankruptcy Code provides, in relevant part, as follows:

9 On request of a party in interest, the bankruptcy court shall . . .  
10 (1) protect an entity with respect to a trade secret or confidential  
11 research, development, or commercial information . . . .

12 11 U.S.C. § 107(b)(1).

13 Bankruptcy Rule 9018 provides that on motion, with or without notice, the court may make  
14 any order which justice requires, *inter alia*, to protect “any entity in respect of a trade secret or other  
15 confidential research, development, or commercial information.” *See* Fed. R. Bankr. P. 9018. The  
16 Local Rules further provide that “[n]o document may be filed under seal . . . except pursuant to a  
17 Court order that authorizes the sealing of the particular document or portions thereof.” Civil Local  
18 Rule 79-5 (applicable to this proceeding pursuant to Bankruptcy Local Rule 1001-2(a)). Further,  
19 the Designating Party must file a declaration “stablishing that all of the designated material is  
20 sealable” within 4 days of the filing of the Administrative Motion. *See*, District Court Civil Local  
21 Rule 79-5(e)(1).

22 Pronto contends that the identity of its investors are confidential and that such information  
23 should not be made public. As a general matter, Uber supports Pronto’s reasonable interests in  
24 protecting the confidentiality interests of its investors who would prefer to remain anonymous. (To  
25 the extent the Debtor seeks to maintain the confidentiality of the deposition transcript, he may also  
26 file a supporting declaration under the local rules). As such, Uber seeks to provisionally file a  
27 redacted Limited Objection to afford Pronto and the Debtor the opportunity to file a declaration  
28

1 under Civil L.R. 79-5(e) establishing that the Investor Information and Exhibit A to the declaration  
2 of Miriam Manning may be properly redacted.

3 **III.**

4 **CONCLUSION**

5 For all of the foregoing reasons, the Uber respectfully requests that the Court grant this  
6 Administrative Motion and enter the accompanying proposed order authorizing it to provisionally  
7 redact the Investor Information and Exhibit A to the Manning Declaration as noted in the Limited  
8 Objection.

9 Respectfully Submitted,

10 Dated: September 2, 2021

PACHULSKI STANG ZIEHL & JONES LLP

11 By: /s/ Debra I. Grassgreen

12 Debra I. Grassgreen  
13 Miriam Manning

14 and

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19 *Attorneys for Uber Technologies, Inc.*  
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